

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 2:07-cr-307-MEF
)	
EARNEST D. BATTLE)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge entered on September 22, 2008 (Doc. #43), said Recommendation is hereby adopted and it is the

ORDER, JUDGMENT and DECREE of the court that the defendant's motion to dismiss (Doc. #41) is DENIED.

DONE this the 14th day of October, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE